

81959-17

4/11/2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOTIFICATION

APR 11 2007

APR 11 2007

Michael Kellogg
Agent for Etigra LLC
c/o Pyxis Regulatory Consulting, Inc.
4110 136th Street, NW
Gig Harbor, WA 98332

SUBJECT: Application for Pesticide Notification – Primary Name Change from
Propiconazole Technical
EPA Reg. No. 81959-17
Application Dated January 23, 2007

Dear Mr. Kellogg:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application for the primary name change has been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 81959-17	2. EPA Product Manager M. Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Etigra LLC / ET-009	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Etigra LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION APR 11 2007
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of a change in primary brand name per PR Notice 98-10. The new primary brand name is "Propiconazole Technical". This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Michael Kellogg	Title Agent	Telephone No. (Include Area Code) 253-853-7369
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Michael Kellogg	5. Date 1/23/07	

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

January 23, 2007

COURIER DELIVERY

NOTIFICATION

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APR 11 2007

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Mary Waller (PM 21)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Etigra LLC – ET-009 (EPA Reg. No. 81959-17)
Notification of a Change in Primary Brand Name per PR Notice 98-10

Dear Ms. Waller,

On behalf of Etigra LLC please find the enclosed notification of a change in primary brand name for Etigra's ET-009. The new primary brand name is "Propiconazole Technical". In support of this notification we enclosed the following documents:

1. Application for Pesticide Registration (EPA Form 8570-1)
2. One (1) copy of the Propiconazole Technical labeling with changes tracked
3. One (1) copy of the Propiconazole Technical labeling with changes incorporated
4. Letter of Authorization

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,



Michael Kellogg

Enclosures

416

Propiconazole Technical

FOR FORMULATION OF FUNGICIDES

Deleted: ET-009

ACTIVE INGREDIENT:

Propiconazole (1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole) 96.5%

OTHER INGREDIENTS:..... 3.5%

TOTAL: 100.0%

NOTIFICATION

APR 11 2007

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
There is no specific antidote for Propiconazole Technical. Induce emesis or lavage stomach. Give supportive therapy.	

Deleted: ET-009

EPA Reg. No. 81959-17

EPA Est. No.

Manufactured for:

Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

Net Weight:

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING**

Causes substantial but temporary eye injury. Do not get in eyes, on skin, or on clothing. Harmful if swallowed, inhaled, or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Only for formulation into fungicides for (1) the following uses: turf, ornamentals and wood treatment; (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and (3) uses for experimental purposes that are in compliance with USEPA.
Formulated products must not be stored in metal containers or come into contact with metal or metal ions.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.
PESTICIDE STORAGE: Store in a cool, dry, well-ventilated area.
PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.
CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.
The Directions for Use of this product must be followed carefully.
Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use.
ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A

PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

To the extent consistent with applicable law, neither Etigra, LLC or Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.